

## Indiana Department of Environmental Management Office of Air Quality

### Addendum to the Technical Support Document for the General Federally Enforceable State Operating Permit (FESOP) for an Asphalt Plant

On December 1, 2000, the Office of Air Quality (OAQ) had a notice published in the Indiana Register and one newspaper in every Indiana county, stating that OAQ has developed a general Federally Enforceable State Operating Permit (FESOP) for certain types of asphalt plants. The notice also stated that OAQ proposed to issue a permit for this operation and provided information on how the public could review the proposed permit and other documentation. Finally, the notice informed interested parties that there was a period of thirty (30) days to provide comments on whether or not this permit should be issued as proposed.

Upon further review, the OAQ has decided to make the following revisions to the permit (bold language has been added, the language with a line through it has been deleted). The Table of Contents has been modified to reflect these changes.

1. Effective January 1, 2001, the Office of Air Management's name was changed to the Office of Air Quality; therefore, all references to Air Management have been changed to Air Quality, and all references to OAM have been change to OAQ.
2. This is a general permit and is not intended to be modified, so the following change was made to the first paragraph in Section A:

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) and any local air pollution control agency having jurisdiction over the source. The information describing the source contained in conditions A.1 through A.3 is descriptive information and does not constitute enforceable conditions. However, the Permittee should be aware that a physical change or a change in the method of operation that may render this descriptive information obsolete or inaccurate may trigger requirements for the Permittee to obtain additional permits ~~or seek modification of this permit~~ pursuant to 326 IAC 2, or change other applicable requirements presented in the permit application. Such a change may also render this general permit inapplicable and require that the Permittee obtain a new ~~FESOP~~-permit.

3. The spelling of controlled was corrected as follows:

#### A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-8-3(c)(3)]

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This source consists of the dryer, either a batch mix or a drum mix, a dryer/mixer burner and a dryer/mixer exhaust system controlled by a baghouse. The source also contains conveying equipment, one or more liquid asphalt/oil heaters, liquid asphalt/oil storage tanks and handling equipment. The source may also include electrical generators.

4. The email addresses have been removed from Condition B.4 Local Air Pollution Control Agencies, since some are now incorrect and more likely to change than phone numbers or mailing addresses. An address correction was made for Vigo County, and a phone number was updated for Indianapolis.

**B.4 Local Air Pollution Control Agencies**

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- (e) If the portable asphalt plant seeks to move to an area under the jurisdiction of any applicable Local Air Pollution Control Agency (LAPCA), the LAPCA may enact additional air pollution control requirements. The Permittee should contact the LAPCA when planning to relocate into an applicable jurisdiction.

- (b) The Local Air Pollution Control Agencies are:

**Anderson**

Jurisdiction: Madison County

Anderson Office of Air Management

P.O. Box 2100

120 East 8<sup>th</sup> Street, Anderson, IN 46011

(765) 648-6158 (5960) (765) 648-5924 (FAX) E-mail: [oamamc@netdirect.net](mailto:oamamc@netdirect.net)

**Evansville**

Jurisdiction: City of Evansville plus four (4) miles beyond the corporate limits but not outside Vanderburgh County

Evansville EPA

101 N.W. Martin Luther King Jr. Blvd., Rm 250, Evansville, IN 47708

(812) 435-6145 (812) 435-6155 (FAX) E-mail: [terry@evansville.net](mailto:terry@evansville.net)

**Indianapolis**

Jurisdiction: Marion County

Environmental Resources Management Division

Administration Building, 2700 South Belmont Ave, Indianapolis, IN 46221

E-mail Addresses E-mail: [bholm@indvaov.org](mailto:bholm@indvaov.org)

Permits: (317) 327-2270 2234 (317) 327-2274 (FAX) E-mail: [mmosier@indygov.org](mailto:mmosier@indygov.org)

**Vigo County**

Jurisdiction: Vigo County

Vigo County Air Pollution Control

201 Cherry Street 103 S. 3<sup>rd</sup> St., Terre Haute, IN 47807

(812) 462-3433 (812) 462-3433(FAX) E-mail: [vcapc@iquest.net](mailto:vcapc@iquest.net)

**NOTE:** This FESOP general permit may not be valid in all areas of Indiana. See Section D of the permit.

5. Condition B.9 (c) Duty to Supplement and Provide Information was revised to correct a rule reference. 326 IAC 17 was repealed by the Air Pollution Control Board on January 26, 2000; 326 IAC 17.1 is the current rule that should be referenced.

**B.9 Duty to Supplement and Provide Information [326 IAC 2-8-3(f)] [326 IAC 2-8-4(5)(E)] [326 IAC 2-8-5(a)(4)]**

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- (c) The Permittee may include a claim of confidentiality in accordance with 326 IAC 17-17.1. When furnishing copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

6. B.11 Compliance with Permit Conditions has been revised to clarify that noncompliance with any requirement to this permit may result in an enforcement action against the Permittee, an action to modify, revoke, reissue or terminate the source's permit, and/ or a denial of the Permittee's application renew the permit.

**B.11 Compliance with Permit Conditions [326 IAC 2-8-4(5)(A)] [326 IAC 2-8-4(5)(B)]**

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- (a) The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit, ~~except those specifically designated as not federally enforceable,~~ is grounds for:
- (1) Enforcement action;
  - (2) Permit termination, revocation and reissuance, or modification; and
  - (3) Denial of a permit renewal application.

7. The address in B.16 Deviations from Permit Requirements and Conditions and C.11 Compliance Monitoring has been changed from Compliance Data Section to Compliance Branch.

**B.16 Deviations from Permit Requirements and Conditions [326 IAC 2-8-4(3)(C)(ii)]**

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Indiana Department of Environmental Management  
~~Compliance Data Section~~ **Compliance Branch**, Office of Air Quality  
 100 North Senate Avenue, P.O. Box 6015  
 Indianapolis, Indiana 46206-6015

8. Modifications are addressed in other conditions, so B.17 has been revised so that modifications are no longer part of this condition.

**B.17 Permit Modification, Reopening, Revocation and Reissuance, or Termination [326 IAC 2-8-4(5)(C)] [326 IAC 2-8-7(a)] [326 IAC 2-8-8][326 IAC 2-8-18]**

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- (a) This permit may be ~~modified~~, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a FESOP ~~modification~~, revocation and reissuance, or termination, ~~or of a notification of planned changes or anticipated noncompliance~~ does not stay any condition of this permit. ~~[326 IAC 2-8-4(5)(C)]~~ The notification by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ, and any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit), determines any of the following:
- (1) That this permit contains a material mistake.
  - (2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.

- (3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-8-8(a)]
  - (c) Proceedings by IDEM, OAQ or a Local Air Pollution Control Agency, to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-8-8(b)]
  - (d) The reopening and revision of this permit, under 326 IAC 2-8-8(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ, and any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit), at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ, and any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit), may provide a shorter time period in the case of an emergency. [326 IAC 2-8-8(c)]
9. B.18 Permit Renewal was revised so that redundant information was removed from (c) and the rest of (c) was combined with (b)(2).

**B.18 Permit Renewal [326 IAC 2-8-3(h)]**

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- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ, and any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit), and shall include the information specified in 326 IAC 2-8-3. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21) and 326 IAC 2-7-1(40). The renewal application does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

Request for renewal shall be submitted to:

Indiana Department of Environmental Management  
 Permits Branch, Office of Air Quality  
 100 North Senate Avenue, P.O. Box 6015  
 Indianapolis, IN 46206-6015

and any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit),

- (b) Timely Submittal of Permit Renewal [326 IAC 2-8-3]
  - (1) A timely renewal application is one that is:
    - (A) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
    - (B) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, and any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit), on or before the date it is due.

- (2) If IDEM, OAQ , and any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit), upon receiving a timely and complete permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect until the renewal permit has been issued or denied.

~~(c) Right to Operate After Application for Renewal [326 IAC 2-8-9]~~

~~If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-8 until IDEM, OAQ, and any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit), takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified in writing by IDEM, OAQ, and any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit), any additional information identified as needed to process the application.~~

10. The general FESOP rule cite has been added to B.19 Permit Amendment or Revision . This is a general permit and is not intended to be revised, so (d) has been added to clarify that a request to revise the permit may be seen as an application for a new FESOP. Also, the source must comply with the conditions of the general FESOP until a new permit or revision is made.

**B.19 Permit Amendment or Revision [326 IAC 2-8-10] [326 IAC 2-8-11.1] [326 IAC 2-8-18]**

- (a) Permit amendments and revisions are governed by the requirements of 326 IAC 2-8-10 or 326 IAC 2-8-11.1 whenever the Permittee seeks to amend or modify this permit.
- (b) Any application requesting an amendment or modification of this permit shall be submitted to:
- Indiana Department of Environmental Management  
Permits Branch, Office of Air Quality  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015  
and any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit)
- Any such application should be certified by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (c) The Permittee may implement the administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]
- (d) Any application for a revision or modification that would change a standard term or condition of the General FESOP may be treated as an application for a FESOP pursuant to 326 IAC 2-8-3. The filing of a request by the Permittee for a FESOP modification or a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-8-4(5)(C)]**

11. Section (a)(2) has been removed from B.20 Operational Flexibility because it contradicts the first statement of this condition. Section (b) has been revised to correspond with the rule.

**B.20 Operational Flexibility [326 IAC 2-8-15]**

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- (a) The Permittee may make any change or changes at this source that are described in 326 IAC 2-8-15(b) through (d), without prior permit revision, if each of the following conditions is met:

- (1) The changes are not modifications under any provision of Title I of the Clean Air Act;

- ~~(2) Any approval required by 326 IAC 2-8-11.1 has been obtained;~~

- ~~(3)~~ **(2)** The changes do not result in emissions which exceed the emissions allowable under this permit (whether expressed herein as a rate of emissions or in terms of total emissions);

- ~~(4)~~ **(3)** The Permittee notifies the:

Indiana Department of Environmental Management  
Permits Branch, Office of Air Quality  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

and

any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit)

and

United States Environmental Protection Agency, Region V  
Air and Radiation Division, Regulation Development Branch - Indiana (AR-18J)  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590

in advance of the change by written notification at least ten (10) days in advance of the proposed change. The Permittee shall attach every such notice to the Permittee's copy of this permit; and

- ~~(5)~~ **(4)** The Permittee maintains records on-site which document, on a rolling five (5) year basis, all such changes and emissions trading that are subject to 326 IAC 2-8-15(b) through (d) and makes such records available, upon reasonable request, to public review.

Such records shall consist of all information required to be submitted to IDEM, OAQ, and any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit), in the notices specified in 326 IAC 2-8-15(b), (c)(1), and (d).

(b) ~~The Permittee may make Section 502(b)(10) of the Clean Air Act changes (this term is defined at 326 IAC 2-7-1(36)) without a permit revision, subject to the constraint of 326 IAC 2-8-15(a) and the following additional conditions:~~

- ~~(1) A brief description of the change within the source;~~
- ~~(2) The date on which the change will occur;~~
- ~~(3) Any change in emissions; and~~
- ~~(4) Any permit term or condition that is no longer applicable as a result of the change.~~

**(b) The Permittee may make changes under an emissions cap included in a FESOP permit without a permit revision, subject to the constraints in (a) and the following conditions:**

**(1) The emissions cap has been established in accordance with 326 IAC 2-8-15 and 326 IAC 2-1.1-12.**

**(2) The notification to the commissioner under (a) shall include the information under 326 IAC 2-1.1-12(f).**

**The notification which shall be submitted is not considered an application form, report or compliance certification. Therefore,** the notification which shall be submitted by the Permittee does not require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1.

- (c) ~~Emission Trades [326 IAC 2-8-15(e)]~~  
The Permittee may trade increases and decreases in emissions in the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-8-15(c).
- (d) ~~Alternative Operating Scenarios [326 IAC 2-8-15(d)]~~  
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-8-4(7). No prior notification of IDEM, OAQ or U.S. EPA is required.

12. Added general permit rule cite to B.23 Transfer of Ownership or Operational Control, and the rule cite was rearranged and corrected in (c) so that it was more consistent with the rest of the permit.

B.23 Transfer of Ownership or Operational Control[326 IAC 2-8-10]**[326 IAC 2-8-12(b)(3)]**  
**[326 IAC 2-8-18]**

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- (c) **Pursuant to 326 IAC 2-8-12(b)(3),** the Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. ~~[326 IAC 2-8-11(b)(3)]~~

13. Added the rule cite for fees for general permits to B.24 Annual Fee Payment.

B.24 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-8-4(6)] [326 IAC 2-8-16] **[326 IAC 2-8-18(b)(3)]**

14. Opacity Condition in Section C was removed and the Section D condition was revised clarify what the opacity limit is. The 326 IAC 5-1 limit is applicable to the whole source and the NSPS requirement is for the affected facility. The rest of the Section C conditions have been renumbered.

**C.2 Opacity [326 IAC 5-1]**

Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), opacity shall not exceed an average of twenty percent (20%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4, unless otherwise stated in this permit.

**D.5 Opacity Emission Limitation [326 IAC 5-1][326 IAC 12][40 CFR 60.90 Subpart I]**

The visible emissions from the hot mix asphalt facility shall not exceed twenty (20%) percent opacity.

- (a) Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), opacity from the source shall meet the following, unless otherwise stated in this permit:
- (1) Opacity from the source shall not exceed an average of thirty percent (30%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
  - (2) Opacity from the source shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.
- (b) Opacity from the hot mix asphalt facility which is comprised only of any combination of the following: dryers; systems for screening, handling, storing, and weighing hot aggregate; systems for loading, transferring, and storing mineral filler; systems for mixing hot mix asphalt; and the loading, transfer, and storage systems associated with the emission control system shall not exceed 20%. This assures compliance with opacity limit of the New Source Performance Standards, 326 IAC 12 (40 CFR 60.92)

15. Insert C.7 Stack Height. The rest of the Section C conditions have been renumbered.

**C.7 Stack Height [326 IAC 1-7]**

The Permittee shall comply with the applicable provisions of 326 IAC 1-7 (Stack Height Provisions), for all exhaust stacks through which a potential (before controls) of twenty-five (25) tons per year or more of particulate matter or sulfur dioxide is emitted. The provisions of 326 IAC 1-7-2, 326 IAC 1-7-3(c) and (d), 326 IAC 1-7-4(d)(3), (e), and (f), and 326 IAC 1-7-5(d) are not federally enforceable.

16. C.8 was revised to clarify that requirement that the inspector be accredited is a provision of 40 CFR 61, Subpart M.

**C.8 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]**

- (f) Indiana Accredited Asbestos Inspector



The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Accredited Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement that the inspector be accredited, **pursuant to the provisions of 40 CFR 61, Subpart M**, is federally enforceable.

17. Since the measurement of pressure drop is not required in this permit, the pressure gauge specifications were removed from the following condition:

C.14 ~~Pressure Gauge and Other Instrument~~ **Temperature Gauge** Specifications [326 IAC 2-1.1-11]  
[326 IAC 2-8-4(3)][326 IAC 2-8-5(1)]

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- (a) ~~Whenever a condition in this permit requires the measurement of pressure drop across any part of the unit or its control device, the gauge employed shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent ( $\pm 2\%$ ) of full scale reading.~~
- (b) ~~(a)~~ Whenever a condition in this permit requires the measurement of a temperature, the instrument employed shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent ( $\pm 2\%$ ) of full scale reading.
- (c) ~~(b)~~ The Permittee may request the IDEM, OAM approve the use of ~~a pressure gauge or other~~ **an** instrument that does not meet the above specifications provided the Permittee can demonstrate an alternative ~~pressure gauge or other~~ instrument specification will adequately ensure compliance with permit conditions requiring the measurement of ~~pressure drop or other parameters~~ **temperature**.

18. C.17(a) has been changed to remove a reference to a condition (Monitoring Data Availability) that no longer exists. C.18(b) was omitted from the draft permit; it will be included in the final permit.

C.17 Compliance Monitoring Plan - Failure to Take Response Steps [326 IAC 2-8-4] [326 IAC 2-8-5]

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- (a) (4) The Record Keeping and Reporting Requirements in Section C (~~Monitoring Data Availability~~, General Record Keeping Requirements, and General Reporting Requirements) and in Section D of this permit; and
- (b) **For each compliance monitoring condition of this permit, reasonable response steps shall be taken when indicated by the provisions of that compliance monitoring condition. Failure to take reasonable response steps may constitute a violation of the permit.**

19. Since this permit restricts portable sources from locating in severe nonattainment areas, Hammond and Gary local agencies have been removed from the list.

C.22 Relocation of Portable Sources [326 IAC 2-14-4]

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- (a) This permit is approved for operation in all areas of Indiana except in severe nonattainment areas (at the time of this permit's issuance these areas were Lake and Porter Counties). This determination is based on the requirements Prevention of Significant Deterioration in 326 IAC 2-2 and 40 CFR 52.21, and Emission Offset requirements in 326 IAC 2-3. A Permittee seeking to relocate a portable source must give a thirty (30) day advance notice of relocation to IDEM, OAM and a "Relocation Site Approval" letter must be obtained from

IDEM, OAM before any relocation. The notification by a Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (b) A Permittee shall also notify the applicable local air pollution control agency when relocating to or from one of the following:
  - (1) Madison County - (Anderson Office of Air Management)
  - (2) City of Evansville plus four (4) miles beyond the corporate limits but not outside Vanderburgh County - (Evansville EPA)
  - (3) ~~City of Gary - (Gary Division of Air Pollution)~~
  - (4) ~~City of Hammond - (Hammond Department of Environmental Management)~~
  - (5) Marion County - (Indianapolis Air Pollution Control Agency)
  - (6) St. Joseph County - (St. Joseph County Health Department)
  - (7) Vigo County - (Vigo County Air Pollution Department)
- (c) For portable sources, a valid operation permit consists of this permit and any subsequent "Relocation Site Approval" letter specifying the current location of a the portable plant.

20. C.24 was added to the permit to make sources aware of another possible requirement.

**C.24 Compliance with Indiana's Storm Water Rule 327 IAC 8-4.1 and 327 IAC 15-3 [326 IAC 2-8-4] Pursuant to 327 IAC 15-16-1. Indiana's Storm Water Rule, the Permittee shall comply with applicable requirements of the rule.**

21. The calculations for nitrogen oxide emissions and sulfur dioxide emission were changed to formulas instead of paragraphs.

#### D.2 Burner Fuel Limitation

- (e) Fuel allotments in subparts a) through d) of this condition shall be adjusted when combusting more than one fuel per twelve (12) month period rolled on a monthly basis in the aggregate dryer/mixer burners and all other combustion equipment according to the following formulas and limits:

~~(1) Nitrogen oxide emission calculation and limit~~

~~{[( ) cubic feet of natural gas used for the last 12 months X 280 lb/million cubic feet of natural gas] + [( ) gallons of oil used for last 12 months with less than or equal to 0.5% sulfur content X 24 pounds/1000 gallons of oil] + [( ) gallons of propane used for the last 12 months X 19 pounds/1000 gallons of propane] + [( ) gallons of butane used for the last 12 months X 21 pounds/1000 gallons of butane] + [( ) gallons waste oils used for the last 12 months with less than or equal to 1% sulfur content X 19 pounds/1000 gallons of waste oil] + [( ) gallons of distillate oil used for the last 12 months for electric generation units X 616 pounds/1000 gallons of distillate oil]} / 2000 pounds per ton = total tons of nitrogen oxide emissions for a 12 month consecutive period. This total must be less than 50 tons of nitrogen oxide for every twelve (12) month consecutive period.~~

~~(2) Sulfur dioxide emission calculation and limit~~

~~{[( ) cubic feet of natural gas used in last 12 months X 0.6 pounds/million cubic feet of natural gas] + [( ) gallons of oil used in last 12 months with less than or equal to 0.5% sulfur content X 71 pounds/1000 gallons of oil + [( ) gallons of propane/butane used in the last 12 months X 0.02 pounds/1000 gallons of propane/butane] + [( ) gallons of waste oil used in the last 12 months less than or equal to 1% sulfur X 147 pounds /1000 gallons of waste oil] + [( ) gallons of distillate oil used in the last 12 months for electric generation units X 41 pounds/1000 gallons of distillate oil]} / 2000 pounds per ton = total tons of sulfur dioxide emissions for 12 month consecutive period. This total must be less than 50 tons of sulfur dioxide for every twelve (12) month consecutive period.~~

**(1) Nitrogen oxide emission calculation and limit**

$$N = \frac{G(E_G) + O(E_O) + P(E_P) + B(E_B) + W(E_W) + D(E_D)}{2,000 \text{ lbs/ton}}$$

where:

N=tons of nitrogen oxide emissions for a 12 month consecutive period

Fuel usage

G=cubic feet of natural gas used for the last 12 months

O=gallons of oil used for last 12 months with less than or equal to 0.5% sulfur content

P=gallons of propane used for the last 12 months

B=gallons of butane used for the last 12 months

W=gallons waste oils used for the last 12 months with less than or equal to 1% sulfur content

D=gallons of distillate oil used for the last 12 months for electric generation units

Emission Factors for Nitrogen Oxide

E<sub>G</sub>= 280 lb/million cubic feet of natural gas

E<sub>O</sub>=24 pounds/1000 gallons of oil

E<sub>P</sub>=19 pounds/1000 gallons of propane

E<sub>B</sub>=21 pounds/1000 gallons of butane

E<sub>W</sub>=19 pounds/1000 gallons of waste oil

E<sub>D</sub>=616 pounds/1000 gallons of distillate oil

This total must be less than 50 tons of nitrogen oxide for every twelve (12) month consecutive period.

**(2) Sulfur dioxide emission calculation and limit**

$$S = \frac{G(E_G) + O(E_O) + (P+B)(E_P) + W(E_W) + D(E_D)}{2,000 \text{ lbs/ton}}$$

where:

S=tons of sulfur dioxide emissions for 12 month consecutive period

Fuel Usage

G=cubic feet of natural gas used in last 12 months

O=gallons of oil used in last 12 months with less than or equal to 0.5% sulfur content

P=gallons of propane used in the last 12 months

B=gallons of butane used in the last 12 months

**W=gallons of waste oil used in the last 12 months less than or equal to 1% sulfur**

**D=gallons of distillate oil used in the last 12 months for electric generation units**

**Emission Factors for Sulfur dioxide**

**E<sub>G</sub>= 0.6 pounds/million cubic feet of natural gas**

**E<sub>O</sub>=71 pounds/1000 gallons of oil**

**E<sub>P</sub>= 0.02 pounds/1000 gallons of propane/butane**

**E<sub>W</sub>=147 pounds /1000 gallons of waste oil**

**E<sub>D</sub>=41 pounds/1000 gallons of distillate oil**

**This total must be less than 50 tons of sulfur dioxide for every twelve (12) month consecutive period.**

22. Clarification was added to D.3 that the Part 70 requirement will not apply.

**D.3 Particulate Matter less than 10 Microns in Diameter (PM-10)**

Pursuant to 326 IAC 2-2, emissions of particulate matter less than 10 microns in diameter (PM-10) from the dryer/mixer process exhaust system shall not exceed 0.13 pounds of PM-10 per ton of asphalt mix, including both filterable and condensibles fractions. Compliance with this limit is required by 326 IAC 2-8-4. The emissions of particulate matter less than 10 microns in diameter will be less than the minimum required under the Part 70 rules (326 IAC 2-7); **and those rules therefore, the Part 70 requirements** will not apply.

23. D.6 Severe Nonattainment Area Limitations was revised to clarify the condition.

**D.6 Severe Nonattainment Area Limitations [326 IAC 2-1.1-5] 326 IAC 1-4-11**

This plant shall ~~be excluded from locating in~~ **not locate in any area classified as Severe Nonattainment Areas with for** any National Ambient Air Quality Standard to ensure that the threshold limits for the area are not exceeded.

24. The formulas in D.8 Volatile Organic Compounds (VOC) were replaced with a table:

**D.8 Volatile Organic Compounds (VOC) [326 IAC 8-5-2]**

- (a) The VOC {solvent} used as diluent in the liquid binder used in cold mix asphalt production from the plant shall be limited to ~~50 tons per twelve (12) consecutive month period. This is equivalent to 47.5 tons~~ **such that no more than 47 tons** of VOC emissions emitted per twelve (12) consecutive months ~~based on 95% by weight VOC solvent evaporation.~~ This shall be achieved by limiting the total VOC {solvent} of any one selected binder to not exceed the stated limit **in (c)** for that binder during the last twelve (12) months. When more than one binder is used, the ~~equivalency~~ formula in (c)(6) must be applied so that the total of all VOC {solvent} used ~~does not exceed 50~~ **VOC emitted does not exceed 47** tons per twelve (12) consecutive month period, ~~base on 95% by weight of the VOC (solvent) evaporating.~~
- (b) Liquid binders used in the production of cold mix asphalt shall be defined as follows:
- (a) Cut back asphalt rapid cure, containing a maximum of 25.3% of the liquid binder by weight of VOC {solvent} and 95% by weight of VOC {solvent} evaporating.

- (2) Cut back asphalt medium cure, containing a maximum of 28.6% of the liquid binder by weight of VOC (solvent) and 70% by weight of VOC (solvent) evaporating.
  - (3) Cut back asphalt slow cure, containing a maximum of 20% of the liquid binder by weight of VOC (solvent) and 25% by weight of VOC (solvent) evaporating.
  - (4) Emulsified asphalt with solvent, containing a maximum of 15% of liquid binder by weight of VOC solvent and 46.4% by weight of the VOC (solvent) in the liquid blend evaporating. The percent oil distillate in emulsified asphalt with solvent liquid, as determined by ASTM, must be 7% or less of the total emulsion by volume
  - (5) Other asphalt with solvent binder, containing a maximum 25.9% of the liquid binder of VOC (solvent) and 2.5% by weight of the VOC (solvent) evaporating
- (c) The liquid binder used in cold mix asphalt production shall be limited as follows:
- (1) Cutback asphalt rapid cure liquid binder usage shall not exceed 50 tons of VOC solvent per twelve (12) consecutive month period rolled on a monthly basis.
  - (2) Cutback asphalt medium cure liquid binder usage shall not exceed 68 tons of VOC solvent per twelve (12) consecutive month period rolled on a monthly basis.
  - (3) Cutback asphalt slow cure liquid binder usage shall not exceed 190 tons of VOC solvent per twelve (12) consecutive month period rolled on a monthly basis.
  - (4) Emulsified asphalt with solvent liquid binder usage shall not exceed 102 tons of VOC solvent per twelve (12) consecutive month period rolled on a monthly basis.
  - (5) Other asphalt with solvent liquid binder shall not exceed 1,900 tons of VOC solvent per twelve (12) consecutive month period rolled on a monthly basis.
  - (6) The VOC solvent allotments in subpart a) through d) **(c)(1) through (c)(5)** of this condition shall be adjusted when more than one type of binder is used per twelve (12) month consecutive period rolled on a monthly basis. **according to the following formulas: In order to determine the tons of VOC emitted per each type of binder, use the following formula and divide the tons of VOC solvent used for each type of binder by the corresponding adjustment ratio listed in the table that follows.**

$$\frac{\text{Tons of solvent contained in binder}}{\text{Adjustment ratio}} = \text{tons of VOC emitted}$$

\_\_\_\_\_ Tons VOC solvent contained in  
 \_\_\_\_\_ cutback asphalt rapid cure divided by 1 \_\_\_\_\_

\_\_\_\_\_ Tons of VOC solvent contained in  
 \_\_\_\_\_ cutback asphalt medium cure divided by 1.36 \_\_\_\_\_

\_\_\_\_\_ Tons of VOC solvent contained in  
 \_\_\_\_\_ cutback asphalt slow cure divided by 3.8 \_\_\_\_\_

\_\_\_\_\_ Tons VOC solvent contained in \_\_\_\_\_

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emulsified asphalt divided by 2.04

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Tons of VOC contained in other  
asphalt with solvent divided by 38.0

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Type of binder	tons VOC solvent	adjustment ratio	tons VOC emitted
cutback asphalt rapid cure		1	
cutback asphalt medium cure		1.36	
cutback asphalt slow cure		3.8	
emulsified asphalt		2.04	
other asphalt		38	

25. OAQ has determined that it is necessary to stack test once every 5 years to adequately demonstrate compliance.

#### D.10 Testing Requirements [326 IAC 2-8-5(1)]

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The Permittee shall perform PM and PM-10 testing. The required testing shall be conducted on the following schedule:

- (a) New asphalt plants shall be stack tested within 60 days after achieving maximum production rate, but no later than 180 days after initial start-up.
- (b) A test for existing plant shall be repeated at least once every ~~seven (7)~~ **five (5)** years. The ~~seven (7)~~ **five (5)** year period shall be from the date of last valid compliance demonstration test.
- (c) Existing plants that have not conducted a stack test shall submit a test protocol no later than 180 days after issuance this permit.

Test procedures shall be Methods 5, 9, or 17 (40 CFR 60, Appendix A) for PM and Methods 201 or 201A and 202 (40 CFR 51, Appendix M) for PM-10, or other methods as approved by the Commissioner. The PM-10 emissions includes filterable and condensibles PM-10.

26. The definition of normal has been added to D.13 Visible Emission Notations. D.13 has been changed to clarify that the observance of visible emissions does not include condensed water vapor. D.13 has been changed to include clarification that not taking a response step will be considered a violation.

#### D.13 Visible Emission Notations

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- (a) Daily visible emission notations of the conveyers, material transfer points, aggregate storage piles, and unpaved roads shall be performed during normal daylight operations. A trained employee shall record whether emissions are normal or abnormal.
- (b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shutdown time.**
- (c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.
- (d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.
- (e) The observance of visible emissions, **not including condensed water vapor**, from the dryer/mixer process exhaust system shall require the implementation of the Compliance Response Plan. **Failure to take response steps in accordance with Section C - Compliance Monitoring Plan - Failure to Take Response Steps, shall be considered a violation of this permit.**

The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when an abnormal emission is observed.

27. The previously numbered D.15, D.16, and D.18 have been combined into one recordkeeping requirement condition (now D.14). The rest of the Section D conditions have been renumbered as well.

#### D.14 Record Keeping Requirements

- (a) To document compliance with condition C.1, the Permittee shall maintain records of the emissions when the source is collocated with another source having the same owner. Both sources shall maintain records of emissions of all the regulated pollutants.
- (b) All records shall be maintained in accordance with Condition C.20 - General Record Keeping Requirements, of this permit.
- ~~(c) All records and reports of the amounts of fuels (oil, natural gas, butane and propane) shall use calendar month averages. Records of sulfur content and higher heating value shall be determined by information as obtained by the vendor.~~
- ~~(d) To document compliance with Condition D.9 Volatile Organic Compounds, the amount and VOC contents of each diluent used in the production of cold mix cutback asphalt.~~
- ~~(e) Records shall include purchase orders, invoices, and material safety data sheets (MSDS) necessary to verify the type and amount of VOC contents of each diluent used in the production of cold mix cutback used.~~

#### D.16 Operation Parameters

~~The Permittee shall maintain monthly records at the source of the following values:~~

- ~~(a)~~**(c)** To document compliance with Condition D.1 **Production Limitation**, the Permittee shall maintain records in tons of daily asphalt mix production.

(b)(d) To document compliance with Condition D.2 **Burner Fuel Limitation**, the Permittee shall maintain records of daily fuel usage and maintain monthly records at the source of the following:

- (1) Amount of each fuel used;
- (2) The records for fuel oil shall contain a minimum of the following:
  - (i)(A) Average sulfur content of any fuel oil used,
  - (ii)(B) Average higher heating value of any fuel oil used,
  - (iii)(C) The name of the fuel supplier, and
  - (iv)(D) A statement from the fuel supplier that certifies the sulfur content of the fuel oil.

(c)(e) To document compliance with Condition D.8 Volatile Organic Compounds, VOC records shall document VOC usage as follows:

- (1) Amount and type of liquid binder used in the production of cold mix asphalt each day.
- (2) Type and VOC, solvent content by weight of the liquid binder used in the production of cold mix asphalt each day.
- (3) Amount of VOC, solvent used in the production of cold mix asphalt each day.

Records may include: delivery tickets, manufacturer's data, material safety data sheets (MSDS), and other documents necessary to verify the type and amount used. Test results of ASTM tests for asphalt cutback and asphalt emulsion may be used to document volatilization

~~The Permittee shall retain records of all recording/monitoring data and support information for a period of five (5) years, or longer if specified elsewhere in this permit, from the date of the monitoring sample, measurement, or report. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit.~~

(f) **To document compliance with Condition D.11 Monitoring Baghouse on the Dryer/ Burner Process Stack. the inlet temperature to the baghouse shall be recorded once per shift while the dryer/burner process is in operation.**

(g) **To document compliance with Condition D.11 Monitoring Baghouse on the Dryer/ Burner Process Stack and Condition D.13 Visible Emission Notations. the records of visible emissions notations shall be maintained on site for twenty-four(24) months and shall be made available upon request for an additional thirty-six (36) months.**

#### D.18 — Visible Emission Notation Records Requirements

~~The records of visible emissions notations shall be maintained on site for twenty-four (24) months and shall be made available upon request for an additional thirty-six (36) months.~~

28. A condition was added for the General Provisions relating to NSPS.



**D.17 General Provisions Relating to NSPS [326 IAC 12-1][40 CFR Part 60, Subpart I]**  
**The requirements of 40 CFR Part 60, Subpart A - General Provisions, which are incorporated by reference in 326 IAC 12-1, apply to any source that becomes subject to 40 CFR 60, Subpart I Standards of Performance for Hot Mix Asphalt Facilities except otherwise specified in 40 CFR 60, Subpart I.**

29. The following report forms were removed from the permit:  
     Natural Gas Fired Boiler Certification  
     FESOP Monthly Report  
     FESOP Semi-Annual Report
30. The following report forms were added to the permit:  
     Production Quarterly Report  
     Single Fuel Quarterly Report  
     Multiple Fuel Quarterly Report  
     Single Liquid Binder Solvent Quarterly Report Form  
     Multiple Liquid Binder Solvent Quarterly Report Form
31. The Certification form has been revised to include a line for a phone number to be consistent with the other report forms.

I certify that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Signature:

Printed Name:

Title/Position:

**Phone:**

Date:

On January 4, 2001, the Office of Air Quality received comments from Asphalt Pavement Association of Indiana. The summary of comments and responses is as follows:

**Comment 1:**

The United States has a new industry classification system. The North American Industry Classification System (NAICS) now replaces the U.S. Standard Industrial Classification (SIC). It is Asphalt Pavement Association of Indiana, Inc.'s recommendation that the new NAICS be used in lieu of the SIC. The new classification more accurately reflects the nature of the asphalt pavement industry. The new NAICS number 234110 - Highway and Street Construction: Establishments primarily engaged in highways, streets, airports, parking lots, driveways and similar construction. There is significant public perception resulting from our direct association with an SIC code definition that includes petroleum refineries (2951). It is important to our industry that our economic classification effectively represents what we are and what we are not. We are not refineries, however the current SIC code places asphalt pavement production in this category. This is an improper classification. There are no crude distillation, chemical reactor or other refinery-type devices on HMA facility sites.

## Response 1:

OAQ will add the NAICS to the permit, but will not replace the SIC code with the NAICS.

## Comment 2:

Asphalt Pavement Association of Indiana, Inc. recommends that the language of the permit be modified such that only those facilities located within the counties specified in 326 IAC 2-6-1(a) be required to submit an annual emission statement as specified in Condition C.20 of the permit. While facilities covered by this permit do have the potential to emit pollutants into the ambient air at levels equal to or greater than ten (10) tons per year as specified in 326 IAC 2-6-1(a), none of the facilities have the potential to exceed those levels specified in 326 IAC 2-6-1(b) through (d). It is our understanding that if the facilities covered by this FESOP permit did exceed the levels specified in 326 IAC 2-6-1(b) through (d), they would not be allowed coverage under a FESOP, but would be required to obtain a Title V permit.

## Response 2:

OAQ has made the following change to the condition:

## C.19 Emission Statement [326 IAC 2-6-1] [326 IAC 2-8-4(3)]

- 
- (a) The Permittees located or relocated in Clark, Elkhart, Floyd, Lake, Marion, Porter, St. Joseph and Vanderburgh counties as specified in 326 IAC 2-6-1 shall submit an annual emission statement certified pursuant to the requirements of 326 IAC 2-6. This annual statement must be received by April 15 of each year and must comply with the minimum requirements specified in 326 IAC 2-6-4. The submittal should cover the period defined in 326 IAC 2-6-2(8) (Emission Statement Operating Year). The annual statement must be submitted to:

## Comment 3:

Asphalt Pavement Association of Indiana, Inc. believes that the citation on C.21 General Reporting Requirements [326 IAC 2-8-4(3)(C+)] [326 IAC 2-1.1-11] and should be changed from 326 IAC 2-1.1-11 to 326 IAC 2-1.1-1(1).

## Response 3:

OAQ does not agree. This is correct; 326 IAC 2-1.1-11 is Compliance Requirements which this condition is a compliance requirement. There is a typographical error that was corrected by removing the + after C in the following rule cite [326 IAC 2-8-4(3)(C)].

## Comment 4:

Asphalt Pavement Association of Indiana, Inc. recommends that the language of the permit be modified such that Deviation and Compliance Monitoring Reports are required on a Semi-annual basis instead of the present language requiring quarterly reporting so that reporting requirements are consistent throughout the permit. Condition D.19 of this permit recommends semi-annual reporting to confirm compliance with operation conditions of the permit. Rule 326 IAC 2-8-4(3)(C)(i) states "Submittal of reports of any required monitoring at least every six (6) months." Requiring the submittal of deviation and compliance monitoring reports on a more frequent basis than every six months is not consistent with other conditions of the permit and with the intent of the corresponding rule.

## Response 4:

OAQ is no longer requiring sources to report deviations in ten days; therefore, every source will need to submit a Quarterly Deviation and Compliance Monitoring Report. The condition has been revised to be consistent with the rest of the permit. This does not stray from the intent of the rule, because the rule requires "...at least every six (6) months.", and in this case OAQ has determined that more frequent reporting is appropriate.

#### D.16 ~~Semi-Annual~~ **Quarterly** Reporting Requirements

A ~~semi-annual~~ **quarterly** summary to document compliance with operation condition number D.1, D.2, a), b), c), d), and D.8 shall be submitted to the addresses listed in Section C - General Reporting Requirements, using the enclosed forms or their equivalent, within thirty (30) days after the ~~end of June and December of each year~~ **quarter being reported**. If two or more plants collocate at a major source for any part of the reporting period, an additional report of the combined plants to show compliance with C.1 shall be submitted. These reports shall include the following:

- (a) The total of mix asphalt produced each month,
- (b) The amounts of fuels (oil, natural gas, butane and propane) used each month and the oils average sulfur contents. The reports shall use calendar month averages.
- (c) To document compliance with Condition D.8 Volatile Organic Compounds, the amount and VOC contents of each diluent used in the production of cold mix cutback asphalt. Reports shall include copies of purchase orders, invoices, and material safety data sheets (MSDS) necessary to verify the type and amount used.

#### Comment 5:

Asphalt Pavement Association of Indiana, Inc. recommends that the language of the permit be modified such that preventive maintenance plans (PMP's) be required for the emission control devices, but not for the entire facility. Requiring a PMP for the entire facility goes beyond the requirements for preventive maintenance plans as set forth in 326 IAC 1-6-3(a).

#### Response 5:

OAQ disagrees; preventive maintenance plans are required for the facility and the emission control device to insure the emission limits are continuously met and emissions are minimized. 326 IAC 1-6-3 specifies what information should be included in the preventive maintenance plan, but the its purpose is not to determine applicability as is 326 IAC 1-6-1. Pursuant to 326 IAC 1-6-1, 326 IAC 1-6 applies to the owner or operator of any facility required to obtain a permit. In addition, 326 IAC 1-6-5 provides that the commissioner may require changes in the maintenance place to reduce excessive malfunctions in any control device or combustion or process equipment.

#### Comment 6:

Asphalt Pavement Association of Indiana, Inc. believes that the inclusion of the word "of" in the first sentence of D.11(b) Monitoring Baghouse on the Dryer/ Burner Process Stack is a typo and should be deleted. We recommend that the language of the permit be modified such that the requirement to verify that the appearance and characteristics of visible emissions are normal be performed by making observations one time per shift. The ability to change and/ or modify the process causing the emission cannot be readily or substantially altered in short periods of time. Requiring verification that visible emission is normal one time per shift is more consistent with the process and eliminates excessively stringent demands upon the Permittee. Since Baghouse failures are infrequent, a failure to cause an abnormal emission on any given day is very unlikely, the visible emission notations taken once per shift are sufficient to identify if an abnormal condition occurs.

#### Comment 7:

Asphalt Pavement Association of Indiana, Inc. recommends that the language of the permit be modified such that visible emissions be described as "abnormal visible emissions". The language regarding visible emissions, as it appears in the draft permit, implies that any visible emissions would require the Permittee to determine the reason for the emissions. We believe the addition of the word "abnormal" more accurately represents the intent of this requirement and eliminates

possible confusion regarding the intent. This suggested language is consistent with language contained in current FESOPs.

Response 6 and 7:

The last time that OAQ and the Asphalt Pavement Association met to discuss the general permit, both agreed that two visible emission notations in the morning and two visible emission notations in the afternoon would be needed. OAQ did this in response to deleting the pressure drop readings since the VE notations are more reliable and a better indication of compliance for asphalt baghouses. D.11 Monitoring Baghouse on the Dryer/Burner Process Stack (c) was replaced with a new (c) in order to clarify that the Permittee shall implement the compliance Response Plan when visible emissions are observed. The word "abnormal" was not included; the intent of this requirement is to implement the CRP if any visible emissions are observed. There is a separate condition for baghouse failure. The word "of" was removed from the sentence.

D.11 Monitoring Baghouse on the Dryer/Burner Process Stack

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(b) Visible emission notations of from the dryer/burner process stack exhaust shall be performed by a trained employee twice in the morning and twice in the afternoon and recorded. The readings shall be separated by at least 1 hour. A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.

~~(c) Any visible emissions, not including condensed water vapor, from the dryer/burner process exhaust stack or baghouse shall require the Permittee to determine the reason for the emissions. A baghouse failure shall require implementation of condition D.11.~~

**(c) The observance of visible emissions, not including condensed water vapor, from the above dryer/ burner exhaust stack or baghouse shall require the implementation of the Compliance Response Plan. The failure to take response steps in accordance with Section C - Compliance Monitoring Plan - Failure to Take Response Steps, shall be considered a violation of this permit.**

Comment 8:

Asphalt Pavement Association of Indiana, Inc. recommends that the permit be modified such that in the event abnormal visible emissions occur, the entire baghouse is evaluated for proper operation as opposed to evaluation of individual bags. We also recommend that the language of the permit be modified in order that an abnormal observation does not result in the immediate shut down of the entire operation of the plant, but results in a prompt and expedient evaluation and, if applicable, respond to any failure in accordance to the Emergency Provision detailed in Section B of the permit. Setting out the provisions to evaluate and correct any observed failure in accordance with the time schedule detailed in the Emergency Provisions of the permit eliminates future confusion and the ambiguous language as it presently appears in the draft General FESOP permit.

Comment 9:

Asphalt Pavement Association of Indiana, Inc. recommends that the language of the permit be modified such that visible emissions be described as "abnormal visible emissions". The language regarding visible emissions, as it appears in the draft permit, implies that any visible emissions would require the Permittee to determine the reason for the emissions. We believe the addition of the word "abnormal" more accurately represents the intent of this requirement and eliminates possible confusion regarding the intent. The production process is not conducive to quick start-up and shutdowns. Some latitude is needed to permit limited operation while applying the contents of PMP and/ or CRP.

Response 8 and 9:

The Monitoring Baghouse on the Dryer/ Burner Process Stack requires the implementation of the Compliance Response Plan when visible emissions are observed. The Broken or Failed Bag Detection condition does not require immediate shut down of the entire operation of the plant when visible emissions are observed. It does require immediate shut down of the affected compartments of a multi-compartment unit if a bag failure has been observed or when a single compartment baghouse fails, the material feeding system to the dryer shall cease operation immediately.

A bag failure may qualify as an "emergency" as defined in B.15 for purposes of an affirmative defense against a violation of the specific permit condition; however, once the bag failure is observed, continuing to operate the equipment and venting uncontrolled particulate matter to the atmosphere may not be considered an attempt by the Permittee to take all reasonable steps to minimize levels of emissions that exceed an emission standard or other requirements in the permit.

D.12 Broken or Failed Bag Detection (c) and (d) have been removed; these should be part of the Monitoring Baghouse condition not D.12.

#### D.12 Broken or Failed Bag Detection

In the event that bag failure has been observed:

~~(c) The observance of visible emissions, not including condensed water vapor, from the above dryer/burner exhaust stack shall require the implementation of the Compliance Response Plan.~~

~~(d) The failure to take response steps in accordance with Section C - Compliance Monitoring Plan - Failure to Take Response Steps, shall be considered a violation of this permit.~~

On December 18, 2000, the Office of Air Quality received comments from Mike Osborne. The summary of comments and responses is as follows:

Comment:

What is the main differences between the draft general FESOP and the previously issued asphalt FESOPs?

Response:

There is more stringent limited PTE. There is a production limit of 600,000 tons of asphalt mix per year in the general FESOP. Cold Mix VOC emissions are determined by a more accurate method based on specific products produced where as previously the worst case was assumed. Fuel usage is limited such that NOX and SO2 are both limited to 50tpy.

The general FESOP allows for co-location of two plants without the exceeding the Title V thresholds .

Compliance monitoring is done through visible emission notations from the dryer/burner process stack twice in the morning and twice in the afternoon. There is no pressure drop readings since the VE notations are more reliable and a better indication of compliance for asphalt baghouses.

There is different applicability requirements for modification of sources.

General FESOP was public noticed in the Indiana Register and there was an opportunity for public hearing. Since the public notice has already occurred and the conditions in the general FESOP are the same for each source, the general permit does not need to be public noticed again each time a source applies for one.

The general FESOP has a \$500 application fee, and the annual operating fee is only \$1,000 versus the \$1,500 for under the regular FESOP.

On December 12, 2000, the Office of Air Quality received comments from Tom Neltner. The summary of comments and responses is as follows:

Comment 1:

Here is what I understand: a small plant is a hot mix plant; its particulate limits are 0.04 grains per dry standard cubic foot. A large plant is a drum dryer/ burner process plant; its particulate limits are 0.03 grains per dry standard cubic foot.

Response 1:

The statements in the public notice were not clear. All the plants that would be eligible for the general permit produce hot mix asphalt. Currently, existing plants have different limits, either 0.03 or 0.04 grains per dry standard cubic foot, depending on factors other than just the size of the plant or the type of process equipment. The PM emission rate standard is 0.04 grains per dry standard cubic foot for sources that are subject to 40 CFR 60.90 to 60.93, Subpart I Standards of Performance for Hot Mix Asphalt Facilities. The PM emission rate standard is 0.03 grains per dry standard cubic foot for sources that are subject to 326 IAC 6-1-2(a). In the draft general FESOP it was unclear what the limit was since there was a separate condition for each limit; the general permit will give every plant a conservative limit of 0.03 grains per dry standard cubic foot.

D.5 Particulate Matter (PM) [326 IAC 12] was removed from the permit, and the rest of the Section D conditions were renumbered. Also, the following sentence was added to D.4 Particulate Emissions Limitations:

~~D.4 Attainment Area Particulate Emission Limitations~~

Drum Dryer/Burner Process Stack particulate emissions in the baghouse gas stream, excluding water and steam vapors, shall not exceed 0.03 grains per dry standard cubic foot.

**Compliance with this grain loading limit satisfies the grain loading limit of the New Source Performance Standards, 326 IAC 12 (40 CFR 60.90 to 60.93, Subpart I).**

~~D.5 Particulate Matter (PM) [326 IAC 12]~~

~~Pursuant to the New Source Performance Standards, 326 IAC 12 (40 CFR 60.90 to 60.93, Subpart I), particulate matter emissions from hot mix asphalt facility shall not exceed 0.04 grains per dry standard cubic foot (gr/dscf).~~

Comment 2:

This proposal allows INDOT and its contractors to put a plant up much more quickly when doing a road project (except in Lake and Porter Counties).

Response 2:

The general permit will allow plants to replace equipment, add additional equipment, locate a second asphalt plant to the site of an existing plant, and modify an existing plant without going through a permit modification, as long as the plant continues to meet the requirements of the general permit. Any relocation of a portable plant will still need approval for the relocation pursuant to the requirements of 326 IAC 2-14-1 through 236 IAC 2-14-4. New plants will still need to apply for a construction permit.

Comment 3:

Per D.9, the 50% limit appears to apply only to VOCs and not all pollutants as described in the notice.

Response 3:

Emissions of VOC, nitrogen oxide, sulfur dioxide, and particulate matter will each be limited below 50% of the Title V threshold of 100 tons per year for each of the pollutants. Currently, all FESOPs

limit these pollutants to less than 100 tons per year. Under this general permit, the pollutants will be limited to less than 50 tons per year. The Burner Fuel Limitation condition limits NO<sub>x</sub> and SO<sub>2</sub>. PM-10 is limited in D.3.; particulate emissions are also limited in D.4. Since the levels of other regulated pollutants don't approach the major source level, they are not specifically limited. They are in effect limited by the overall production limit and fuel limits.

Comment 4:

Can odor provisions be incorporated into the permit?

Response 4:

The authority for a permit condition regulating odor, in and of itself, is not explicitly stated in our rules.

On December 11, 2000, the Office of Air Quality received comments from Dennis Crooks. The summary of comments and responses is as follows:

Comment 1:

Does the \$500 application fee also cover the first year of emission fees? In other words, does \$1,500 annual fee kick in the first year, or not until the second?

Response 1:

The \$500 application fee does not cover the operating fees. The annual operating fee of \$1,000 will be billed separately (326 IAC 2-8-18(b)). The fee will be billed at the next billing cycle after the permit is issued.

Comment 2:

If a company has a FESOP issued last year, can it apply now for a general permit?

Response 2:

Any existing source has previously been permitted can apply.

Comment 3:

Does the general permit require PMP and CRPs?

Response 3:

Condition B.14 requires a Preventive Maintenance Plan. A Compliance Response Plan is required for each of the compliance monitoring condition in Section D.